

REQUEST Current Zoning: MX-2, mixed use
Proposed Zoning: MX-2 SPA, mixed use, site plan amendment

LOCATION Approximately 7.08 acres generally located along Rockefeller Lane, Kensington Station Parkway, Katy Flyer Avenue, and Mount Clare Lane.

SUMMARY OF PETITION The petition proposes a site plan amendment to replace 140 condominium units with 55 single family detached lots or 55 single family attached units.

PROPERTY OWNER J & B Development and Management, Inc. and Piston, LLC
PETITIONER Joe Murphy
AGENT/REPRESENTATIVE Joe Murphy

COMMUNITY MEETING Meeting is required and has been held. Report available online.

STATEMENT OF CONSISTENCY This petition is found to be consistent with the South District Plan and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Griffith seconded by Commissioner Allen).

ZONING COMMITTEE ACTION The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

1. Modified the "Development Data" heading on Sheet 1 to read "Overall Development Data for Park South Station".
2. Modified the "2012-069 Rezoning" heading on Sheet 1 to read "2012-069 Rezoning Area Development Data".
3. Corrected the number of units proposed under "Development Data".
4. Indicated on Sheet 1 that the tax parcels included in the rezoning are "portions of 173-061-01, portions of 173-331-13, 173-331-95 and 173-331-98".
5. Indicated Rezoning Areas 1 & 2 will include a buffer treatment along the rear portion of the reverse frontage lots that include a minimum five-foot high wall/fence and supplemental plantings. Provided a detail of the wall/fence.
6. Eliminated the designation of Kensington Station Parkway as being a one-way street.
7. Provided recessed parallel on-street parking along Kensington Station Parkway.
8. Indicated the existing angled parking along Rockefeller Lane is to remain.
9. Indicated the existing parking lot off Central Pacific Avenue is to remain.
10. Indicated that the single family lots will comply with five-foot side yards.

VOTE

Motion/Second:	Labovitz/Lathrop
Yeas:	Allen, Eschert, Griffith, Johnson, Labovitz, Lathrop, and Phipps
Nays:	None
Absent:	None
Recused:	None

**ZONING COMMITTEE
DISCUSSION**

Staff presented the petition and indicated all outstanding issues had been addressed.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**

This subject property was part of a larger 120-acre rezoning approved in 2005 (rezoning petition 2004-121). This previously approved rezoning allowed for 851 condominiums and townhome units at an overall density of 7.1 dwelling units per acre. Portions of this previously approved rezoning, currently identified as Park South Station, have been constructed. The subject areas included in this petition were designated for 140 condominium units.

There was another rezoning petition approved in 2011 (rezoning petition 2011-032) for a 20.16-acre portion of the original 2005 rezoning. That rezoning allowed for the option of either single family detached homes or single family attached homes.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The ability to construct 55 single family attached units or 55 single family homes within the subject site.
- Five-foot internal sidewalks to be provided in front of all single family detached lots.
- All of the development standards included in rezoning petition 2004-121 shall remain in effect in addition to the ability to establish single family lots.
- Typical building elevations provided for single family detached homes along with design criteria regarding garage placement.
- Innovative provisions to be requested from the Zoning Committee if the rezoning is approved include:
 - Private streets constructed per the cross sections shown on Sheet #2.
 - Setback for single family homes to be 20 feet from the back of curb. The current standard is 32 feet from the back of curb of a public street. Driveways to have a minimum length of 20 feet from the back of curb or back of sidewalk, whichever is greater.
 - Rear yard for single family lots to be 20 feet instead of 30 feet.
 - Minimum area for single family lots to be 3,500 square feet instead of 4,500 square feet.
 - Allow single family lots to front private streets.
 - Eliminate internal buffers between various residential types within the unified Park South Station development.

- **Public Plans and Policies**

- The *South District Plan* (1993), as amended by rezoning petition 2004-121, recommends a mix of residential units with a density of up to 7.1 dwelling units per acre.
- The petition is consistent with the *South District Plan*.

- **Staff Recommendation (Updated)**

- Staff agrees with the recommendation of the Zoning Committee.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Shad Spencer (704) 353-1132